

STATE OF LOUISIANA  
GROUND WATER MANAGEMENT COMMISSION

-----

IN RE: GROUND WATER  
MANAGEMENT COMMISSION  
MEETING

-----

REPORT OF MEETING  
HELD AT  
BATON ROUGE, LOUISIANA  
JUNE 28, 2002

STATE OF LOUISIANA  
GROUND WATER MANAGEMENT COMMISSION

-----  
IN RE: GROUND WATER  
MANAGEMENT COMMISSION

MEETING

-----  
Report of the meeting of the Ground Water  
Management Commission, State of Louisiana, on June 28,  
2002, in Baton Rouge, Louisiana.

COMMISSION MEMBERS IN ATTENDANCE:

Karen Gautreaux, Chairman  
Phil Boudreaux, Department of Natural Resources  
Len Bahr, Director, Governor's Office of Coastal  
Affairs  
Zahir "Bo" Bolourchi, DOTD  
Richard Durrett, Sparta Groundwater Conservation  
District  
Steve Chustz, Department of Environmental Quality  
Dean Lowe, Department of Health and Hospitals  
Michael Taylor, Department of Economic Development  
Brad Spicer, Agriculture & Forestry  
John Roussel, Assistant Secretary Wildlife & Fisheries  
Paul Jackie Loewer, Farm Bureau Member

## AGENDA

- I. Call to Order - Karen Gautreaux
- II. Update on Staff Activities - Tony Duplechin
- III. Commissioner Question and Comment.
- IV. Advisory Task Force Question and Comment
- V. Consultant Report on Major Revisions to Part 1  
- Deliverables
- VI. Task Force Committee Reports
- VII. Commission Question and Comment
- VIII. Old Business: 1. Consideration of the Final -  
"Statewide Water Management Plan Part 1 -  
Identification and Use Assessment of Louisiana  
Water Resources."  
2. Finalize language of the brochures
- IX. New Business: Clarification of notification  
requirements
- X. Public Question and Comment
- XI. Schedule for Next Meeting
- XII. Adjourn

GROUND WATER MANAGEMENT  
COMMISSION MEETING  
JUNE 26, 2002  
\* \* \* \* \*

COMMISSIONER GAUTREAUX:

Welcome to the 11th meeting of the Louisiana Ground Water Management Commission. I'll ask our Commissioners to go around and introduce themselves for the record.

MR. CHUSTZ:

Steve Chustz with the Department of Environmental Quality.

COMMISSIONER BAHR:

Len Bahr with Governor Foster's office.

COMMISSIONER SPICER:

Brad Spicer, Louisiana Department of Agriculture and Forestry.

COMMISSIONER TAYLOR:

Mike Taylor, Louisiana Economic Development.

COMMISSIONER BOLOURCHI:

Bo Bolourchi, Transportation and Development.

COMMISSIONER BOUDREAUX:

Phil Boudreaux, Department of Natural Resources.

COMMISSIONER GAUTREAUX:

Karen Gautreaux, Governor Foster's Office.

COMMISSIONER ROUSSEL:

John Roussel, Department of Wildlife and Fisheries.

COMMISSIONER DURRETT:

Richard Durrett, Sparta Ground Water Commission.

COMMISSIONER LOWE:

Dean Lowe, representing the Department of Health and Hospitals.

MR. LOEWER:

Jackie Loewer replacing Linda Zaunbrecher today. I'm a Farm Bureau member.

COMMISSIONER GAUTREAUX:

Thank you. Our first item on the agenda, or second, would be our regular update on the staff activities. Tony Duplechin is going to provide that for us.

MR. DUPLCHIN:

Thank you, Karen. A few things to go over. The water well information sheets submissions. The staff has completed the revisions to the water well information sheet and memo to interested parties, and these were mailed out in early June. All of the Commissioners should have received a copy of this in the mail as well. We have gone ahead and included copies of both the memo and the information sheet just in case you had not.

As of the 25th of June the staff had received an additional 55 water well information sheets, and that brings the total number to 424. Of these, three just cause waivers were issued for reasons of short notice or people just wanting to get wells installed before the rains came. Nine forms were received less than 60 days prior to the anticipated well installation date

for which the owners did not request a just-cause variance. Of these eight were agricultural and one was industrial. Twelve forms were received after the installation of the well. And this was 11 agricultural and one non-community public supply wells.

As far as the website goes, we continue to update it monthly by putting the transcript of the Commission and summary of the Commission meeting and Task Force meetings, along with announcements and agendas for upcoming meetings.

Since our last meeting I attended meetings of the Sparta Ground Water Conservation District on June 24th, at which their consultant, Meyer, Meyer, LaCroix and Hixson presented a draft report on funding and financing of alternate water supplies for the proposed critical areas of the Sparta. And on June 25th I attended the meeting of the State Soil and Water Conservation Committee.

The Sparta Ground Water Conservation District has had a notice of intent to file an application to have the Sparta Aquifer declared critical in all or parts of 11 parishes. The last publication was on June 24th. A copy of the cover letter from the Sparta Commission as well as one typical proof of publication is included in your packet. The notice of intent stated that comments should be sent to the Commissioner of Conservation. So far we have received one letter of comment. A copy of this letter is also included in your packet. The window of opportunity for the Sparta to submit the application is July 14th through August 12.

The staff received the final Part 1 deliverable from our contractor, C.H. Fenstermaker & Associates. One copy was delivered to each Commissioner, one copy was delivered to each Task Force committee chair, and one copy was given to each of the six legislators on the Task Force. The Office of Conservation staff also received three copies. The staff made a detailed review of the document and we will be making a recommendation concerning it under old business.

As you recall a public hearing regarding the proposed rules for the conduct of hearings was held as the first order of business during the May 29, 2002 Commission meeting. The public comment period ended June 7th. No comments were filed at either the public hearing or with the Office of Conservation by the deadline of June 7th. As required by the Administrative Procedure Act, the staff compiled a summary report of the hearing findings. The Governor's office then submitted a report to the Senate and House Environment Oversight committee. A copy of that summary report is included in your packet.

The Senate House Environment committees will hold a joint oversight meeting on July 1st, which is this coming Monday, at 10:00 a.m. regarding these proposed rules. If no major changes are made, the permanent rules will be submitted to the Office of the State Register no later than July 10th and will be published and become effective on July 20. Copies of the meeting

notice and agenda have been included in your packet as well. That completes my report.

COMMISSIONER GAUTREAUX:

Thank you, Tony. I'd like to encourage all that have been following and participating in this process to join us in the oversight hearing, which is not only again going to include the portion devoted to the rule, obviously, but also an explanation of what we have been involved in, the Commission and Task Force, what we've accomplished to date, and what we're looking forward to doing over the next few months leading up to our January deadline.

Are there any questions or comments for Tony regarding his report? (No response.) Okay, we will go on to the next item. Any Advisory Task Force questions and comments on that report? (No response.) I'd just like to mention that Representative William Daniel and representative N.J. D'Amico have joined us. Are there any other of our legislative partners in this effort present? (No response.) Thanks.

All right. Now we will ask Bruce Darling to give us a report on the revisions that have been made or proposed to be made to Part 1 as a result of the last comment period on the report. Bruce.

MR. DARLING:

I know that since we turned in the last report everybody rushed home and read it from cover to cover, so there's little need to go through this in great detail I'm sure. I'm being facetious, obviously, here. What I want to cover here today with you are the additions that we made to the report. I know that what we submitted last time was a bit bulkier and somewhat different in terms of composition and organization from the initial report that we submitted. And so what I want to do today without taking up a lot of time is to go through this so that you can have some idea of what the major additions have been to the report.

As you recall the initial submittal did not include a complete chapter 3 or chapter 4. Since then we have completed chapter 3 and chapter 4, what was at that time chapter 3 and chapter 4, and we've made other changes. So I will go over those changes with you and then we'll walk through this chapter by chapter quickly so that we can get to other matters.

One of the first big changes in the report was that we decided to divide chapter 1 up into two chapters. Chapter 1 initially included a lengthy discussion of many of the legal and institutional issues associated with water planning. We thought that that really meant that that was really better off as a separate chapter. So we separated that from chapter 1 and made that chapter 2, and there were some minor text movements around in what is still chapter 1. But the first main change in the report is the separation of the section on legal and institutional issues to constitute a stand-alone chapter, chapter 2.

What was initially chapter 2, the discussion of water management plans of other states we moved down in

the report to make that chapter 5 because we wanted to have that more closely tied to the discussion of critical area programs in other states and critical area issues in Louisiana. We thought that that made a more sensible transition. So chapter 2 in the initial report is now chapter 5 in this report.

Chapter 3 was a chapter that involved quite a few additions. As you recall at the time we submitted the first report we had gone only through Region 1, North Louisiana. Just to refresh your memory, we divided the state into three regions, 1, 2, and 3. Region 1 is North Louisiana, Region 2 is Southwestern Louisiana, and Region 3 is Southeastern Louisiana, and that division was made primarily to keep the major aquifers intact within the respective regions.

What we did here in adding these chapters was we followed the same format for Region 2 and Region 3 but we added some other information here. If you'll scroll on over -- keep going until we get to information about water use. In the discussion of water use by category we decided to add tables for each water use category in each region to show water use in millions of gallons per day for each of the water use categories. So for example, this is irrigation. Here we're covering rice irrigation, general irrigation and aquaculture. If you'll scroll down to the next page you'll see that we've added a table here, one for rice farming showing the amount of surface water use for rice farming in Region 2, and also the amount of groundwater use for rice farming in Region 3. These are sorted based upon the 1990 -- the 2000 pumpage numbers from the DOTD reports on water usage in Louisiana. We have done that for each water use category in all three regions. And so now when you read the report you have not only the graph to look at but you can refer to a table that will show you what water usage was in the specific parish for that particular water use category. And this was followed for Region 1, Region 2 and Region 3. So we've added that for all three regions. Other than that the rest of chapter 3 did not change. The last part of the chapter, Analysis Of Projected Water Use Requirements is as it was before.

Go to chapter 4. This added quite a lot of text and a lot of graphics to the report. If you've had a chance to go through it you'll notice it. It's much bulkier now. Chapter 4 was probably where you saw some of the large -- the greatest changes in the report. I wanted to make sure that we presented the information on the hydrogeology of the aquifers I think in a more coherent format. So what we sought to do here was to separate groundwater and surface water completely from the report. Previously we discussed groundwater and surface water together in their respective regions, but here I separated groundwater from surface water. And we added a lot more detail to the discussions of the aquifers.

If you will go to Region 1, and scroll down to the Sparta, since we added the aquifer maps for some of

these. In further aquifers we included recharge maps and the potentiometric maps as well as the hydrographs.

The Sparta probably best emphasizes what we were trying to accomplish here. We have for each aquifer a discussion of general geology and hydrogeology, not highly technical but designed to give the reader a good understanding of the general makeup of the aquifer and its location and some of the other technical issues associated with the aquifer.

Go to the next page. That's a map showing the outline of the aquifer. Now, that's not the entire aquifer, by the way. That's a surface area overlying the aquifer showing approximately the area where you'd have fresh water within the Sparta.

Scroll down to the next page. When we tried to distill the document in Adobe we didn't get a very high resolution for these, and so we're having to show you separate documents, what some of the other figures are.

We included cross-sections for the major aquifers, the Sparta, the Chicot and the Southern Hills. This is taken from a USGS report, I think McReath, and it's designed to give you an idea of what -- how the Sparta is put together with respect to the other formations in the area. Here you see a combination of flow lines, and then also other isopleths that indicate changes in dissolved solids in the aquifer. The figure, if you scroll to the top of the figure, will show you where the cross-section runs west to east from northwest Louisiana on into Mississippi. So that is approximately what a slice through the aquifer from Louisiana on into Mississippi would look like.

Next one. The discussion of recharge areas and then the potentiometric surface. Let's move on to the next one. This is the recharge area map for the Sparta in Louisiana. Let's scroll on to the next one. We've also tried to add as much information as we can here to show how the aquifer is changed over a period of time.

This is a map taken from an open file report published by the U.S. Geological Survey showing the potentiometric surface of the Sparta as it was assumed to be about the year 1900. These are in elevations of feet above mean sea level, and if you know how to read a potentiometric map that would mean that groundwater flows from west to east, or from areas of high hit to low hit as we explained in the introduction to this chapter.

Go to the next figure. What we attempt to do here with the figures extracted from the consulting report written by Meyer, Meyer, LaCroix and Hixson for the Sparta Commission is to show how the Sparta changed over a period of 80 years and then 100 years from that preceding graph. This shows the cones of depression that as I mentioned last time formed -- by 1980 had formed beneath Ouachita Parish, Louisiana and Union Parish -- excuse me, Union County, Arkansas.

Move on to the next one. And then again the changes that occurred over the next 20 years. So in this way you can see how the stresses on the Sparta



Aquifer from the pumpage in those major demand centers have changed the potentiometric surface of the aquifer, that is the configuration of the potentiometric surface. And then we've added discussions in there on top of that of water level changes in the aquifer. Show the hydrographs. We selected hydrographs from certain areas of the aquifer. The hydrographs showed changes of water levels over time. This is one from in and near the recharge area showing that you're getting some fluctuation but no substantial decline; however, as you move off in areas toward the west, check that one, you can see that over a period of 30 years you've had a decline of nearly 60 to 65', close to 70' in the potentiometric surface of the Sparta Aquifer.

We had two of these figures from the Sparta. Show the next one. We tried to get as broad a coverage as we could, and in order to have the resolution we needed on the hydrographs we had to separate this up into two graphs. That's up in Morehouse Parish. Then you'll see by and large the hydrographs show outside of the recharge area that you're getting a steady decrease of the potentiometric surface over a period of -- most of these hydrographs cover a period of 30 years, some are a bit longer than that. But the objective here is to combine that with the potentiometric maps that we presented before to give you a good snapshot of how the Sparta has changed over time and what some of the problems associated with the Sparta might be.

Move on to the next figure. One thing we tried to do here to help clarify these issues is to add a brief discussion of what the main management issues with the Sparta are, and they are related to, as I have listed up here, the ability of the aquifer to continue to yield economic volumes of water, the potential for saline water encroachment, and then the need to manage development, all types of development in the recharge areas of the Sparta, and beyond that we've explained briefly what is behind each one of these issues. Now, we have not done this for each aquifer. We focused on at this point two aquifers for this. We've done the Sparta and the Southern Hills area. The reason we did this was rather than just lay it out there and let you draw conclusions from the figures, we wanted to point out what the issues in fact are so that the members of the Commission will have some idea what it is that the Sparta Commission is talking about when they come to them with their application.

Go on down to the Chicot Aquifer, Region 2. I'm going to focus on just three aquifers here. We're going to look at the Sparta, then the Chicot, and then the Evangeline equivalent for the Baton Rouge area, the Southern Hills Aquifer. Following the same pattern of discussion for the Chicot, and I'll point out something here that I neglected to point out for the Sparta, we followed the same line, the same approach here showing the outline of the aquifer.

Move on to the next figure. This is what the figure really looks like. But we added cross-sections

here, both north-south and east-west cross-sections through the Chicot to show how the aquifer looks, and cross-section here showing the formations that comprise the sands that comprise the Chicot dip off toward the south, toward this saline water toward the south. And then you can compare that with the west-east cross-section to see, and there's a discussion in there about how the aquifer varies from west to east, the stratigraphy of the aquifer both north-south and east-west. And then show the potentiometric surface of the Sparta and the Chicot. The recharge areas of the Chicot. And then this is the latest potentiometric surface map of the Chicot based on the upper sand and then the 200' sand. Based on year 2000 numbers, this is from a USGS report authored by John Lovelace out of the Baton Rouge office, but this shows the configuration of the surface, the major cones of depression that have formed in the Chicot Aquifer from starting off in Evangeline and Acadia Parishes and extending on into Calcasieu and Jeff Davis Parish. And then shown the hydrographs. We have selected hydrographs from different zones of the different areas of the Chicot to show how this varies. The hydrograph in the upper left corner of the figure there is from the Massive Sand up in Beauregard and Vernon Parish. That's your recharge area. You can see the fluctuations, the mild fluctuations from year to year as you expect to find in a recharge area. Zero in on CU-771. This is one that shows the rebound in the 200' sand after the completion of the Sabine Industrial Canal in 1982 when the stress -- the canal allowed industries then to start using surface water. You can see the big rebound in the potentiometric surface of the 200' sand. This, incidentally, is mirrored in both the 500' Sands and 700' Sands in the Lake Charles area.

And in here, these are hydrographs from selected areas in Acadia Parish and Evangeline Parish. This is where you have a lot of rice farming. The large fluctuations there are seasonal fluctuations associated with pumpage from irrigation. But you also see a continual decline in the potentiometric surface over a period of some 50 years in the Evangeline Parish hydrograph. So again, let's move on to the discussion of water quality for each aquifer -- just back up to the Chicot.

We added to the report in the appendix the baseline monitoring project, the latest baseline monitoring project reports for each one of the aquifers, major aquifers and minor aquifers. The baseline monitoring project is conducted by DEQ on a rolling three-year basis, and they include a great deal of information here about each one of the aquifers in terms of water quality. Select one there and we'll show them what we're talking about. So there's a summary of the baseline monitoring project results and the text, and then the full text of the baseline monitoring project report is found in the appendix. So

you can switch from one to the other and get the necessary information supplied by DEQ about water quality in those aquifers.

Let's go back into Region 3. This is also from the USGS. What we're attempting to show here in the Southern Hills area, the Baton Rouge area in particular, is what the aquifer looks like in cross-section with the many sands that comprise the aquifer.

There's a discussion of how the sands are grouped together to form the Chicot, Evangeline and Jasper equivalent aquifers. And then there's a discussion of each one of the aquifers, along with information on water quality and recharge areas.

Move on to the last figure for this, and show the next potentiometric map, the Evangeline equivalent. This is a potentiometric map for the Evangeline equivalent. This is a vintage 1994 map. All the maps from this area are vintage 1994. They show the big cone of depression around Baton Rouge, each one does, and each one, the cone you'll find and the maps are developed quite differently for each one of the aquifers. And find the saline water encroachment figure. There is, again, a map, a figure that shows the hydrographs for the different sands for each one of the aquifers. This is from the Evangeline equivalent aquifer, and you can see that you get somewhat different drawdown patterns based upon where you are in the aquifer.

There's the saline water encroachment figure. This was also from a USGS report authored by Dan Tomaszewski from the USGS office here showing the mapped encroachment across the Baton Rouge fault in the 1500' sand. There's a problem that the Capital Area Ground Water Conservation Commission has been tracking over a number of years and attempting to manage as well. This is included with a discussion of this particular issue as a management issue in the Baton Rouge area, and it's something that could, if you had further encroachment, cause perhaps the Capital Area Commission or others to petition for critical aquifer status for this area.

So we've tried to follow that format to give you as much information as you can. It's not what you would call a technical report. It's more a planning report. It's a planning document designed to give as broad -- an audience with a broad background the information that they need to be able to read this and understand how the aquifers of Louisiana are put together, how they behave and what the issues are with the major aquifers.

Go to the next chapter. All of the surface water material in chapter 4 from the original report is intact and just moved to another section in chapter 4.

Chapter 5. This is unchanged. This was originally -- I think this was originally chapter 2. It's now chapter 5. This is a summary of the water management plans of other states. As you recall we looked at management plans from the states of Florida, Alabama,

Mississippi, Arkansas, Texas, Oklahoma, Utah, and then Mexico, because we wanted to cover a broad number of issues to -- as broad a number of issues to draw some interesting parallels that the state of Louisiana will need to consider in its efforts to manage water resources. So this document, other than being moved from chapter 2 to chapter 5 is unchanged.

The next chapter. A discussion of critical groundwater issues in Louisiana. It starts off with a definition of critical groundwater areas, but then we transition into a discussion of the critical groundwater programs in the states of Texas, Arkansas, Alabama, and Florida. These have some relevance to what's going on in Louisiana. This discussion was not changed. The chapter was just moved from chapter 5. When we moved chapter 2 to make that chapter 5 this got bumped down to be chapter 6. It's an interesting read, though, and I recommend that you look at it because you can see what some of the problems are in other states when it comes to identifying critical areas and managing these things, particularly a state like Texas and how radically different the management programs in states like Texas and Arkansas can be, and how different all the states that surround Louisiana are with respect to some of these issues.

In case you hadn't read this chapter, there's a lengthy discussion in here about the priority groundwater management program in Texas and how cumbersome they've made it. Perhaps a bit of advice to Louisiana, don't make your own programs as cumbersome as they are west of the Sabine.

Move on to the next chapter. Chapter 7 is the same as it was -- this was originally chapter 6, this is now chapter 7, and this is a discussion of the preference feasibility analysis that we're going to conduct to zero in on strategies statewide and then within different regions in order to help the Commission and other interested parties identify strategies that are most appropriate for different regions of the state.

So beyond that, the only other major changes in the appendix will be we've added the latest baseline monitoring reports, program reports from DEQ. These are all referenced in the appropriate discussions of the aquifers in chapter 4. There are other chapters shown here, emergency well -- go back to the table of contents. There are other chapters that are referenced in here that will really be addressed in Part 2. Actually, critical groundwater in chapter 6 will be expanded somewhat as we have further discussions with the Commission and the Sparta Commission.

For instance, feasibility analysis will be expanded substantially as we conduct that analysis. Chapter 8, identification and evaluation and selection of water management strategies really comes out of preference feasibility analysis and discussions with others. Finally, the legal and interjurisdictional issues will be further developed by the Onebane Law

Firm. And then Recommended Water Management Agency is something that actually is going to take quite a bit of work here, and that's one reason that we've actually surveyed many of the programs of other states because it helps to see how other states have approached the management of their groundwater issues, how those agencies have been setup, and what recommendations we might make to Louisiana in terms of staffing and funding for these agencies. So all of this really -- those are Part 2 issues which we should be jumping on fairly quickly. There are still some issues unresolved from Part 1 that we need to complete. But these show you the major additions that we've made to the report, if you hadn't taken the time to read the second submittal to the Commission.

In closing I want to say one thing here. The last time I was here, within the context of discussing general issues for identifying critical areas, comments of mine might not have been taken completely within context. And I have to take some responsibility for that. I know some people in the Sparta Commission were concerned about what appeared in the Baton Rouge Advocate, and I want to assure you that my intent here is not to deride anything that the Sparta Commission or their consultants have done. I think they've all done an admirable job. The Sparta Commission is pursuing -- forging ahead with its application, and I'm going to get together with them to look at their application so that we can include their latest information in the next version of this report, and perhaps to discuss any other issues that they might have based upon any misunderstandings that were caused by comments that I made in the last meeting. So any misunderstandings I apologize for that, I'll take responsibility for that.

And I look forward to working with Mr. Durrett and with others on the Sparta Commission and with their consultants as well.

Are there any questions about the changes in the report, any comments?

COMMISSIONER GAUTREAUX:

Mr. Durrett.

COMMISSIONER DURRETT:

Just one comment. I wasn't here at the last meeting, and the article that did appear in the Advocate led us to believe that some decisions had been made or some conclusions had been made before the application was actually here. And I appreciate your comment and that you're going to take an objective look at the application, which we expect you to do, and the Commission also, once it's here.

MR. DARLING:

Thank you. I look forward to that.

COMMISSIONER GAUTREAUX:

Any other questions or comments? John?

COMMISSIONER ROUSSEL:

One general comment. I don't claim to have read it from cover to cover, but I did skim it pretty closely and had a couple of staff people look at it,

and one area that I think is a little bit lacking is the issue of the ecological role of surface waters to fish and wildlife resources. There are a number of in-stream flow needs for certain populations and they play a significant role. There's not a lot of data, but I think the report should acknowledge the significance of that in some kind of way.

MR. DARLING:

I think we do intend to do that. I think that's, from our perspective, more of a Part 2 issue as we look at some of the surface water bodies that are potentially available to be used, then the assessment of those flows on the ecological systems you're talking about become something that you can't ignore. The effort here in Part 1 was to describe what's out there, and in Part 2 this is where I think we have to look more closely at the ecological issues that you're talking about. We ran at breakneck speed just to get this thing done. I think if we had tried to add that we would have all been dead at this point.

COMMISSIONER GAUTREAUX:

Thank you. Dean?

COMMISSIONER LOWE:

My comment or question is about the protocol of the report. I couldn't quite understand where the two-part reports fit in the overall context of what we're going to turn in eventually to the legislature. Are we going to be turning in a single report that includes two parts, or are we going to forward one part as we complete it and then another part? And do we need to approve Part 1, Part 2, I mean, the Commission, do we need to approve that?

COMMISSIONER GAUTREAUX:

It's my expectation that what we turn in in terms of the legislative recommendations would be based on the findings of our report, the Part 1 and Part 2. Initially we needed to identify the information that would be necessary to develop our strategies, what's out there, including what do we need that perhaps we haven't had time to gather during this report phase, and then out of that we would make recommendations including proposed legislation. And as you can see part of that will be Part 2 of the report.

COMMISSIONER LOWE:

So what you're telling me is that Part 1 and Part 2 reports are in-house. They're not something that are going to be specifically submitted to the --

COMMISSIONER GAUTREAUX:

I would imagine we would submit the report --

COMMISSIONER LOWE:

As a reference.

COMMISSIONER GAUTREAUX:

-- as part of the plan, but there will be recommendations, I think it was chapter 10, in terms of the management, the specific strategies, and then I guess out of the proposed strategies, what would be necessary to be implemented through legislation.

COMMISSIONER LOWE:

So if that's the case, wouldn't we need to have a vote or something on whether to accept the Part 1 report as it is?

COMMISSIONER GAUTREAUX:

We need to vote on accepting Part 1 as fulfillment of the deliverables under the original scope.

COMMISSIONER LOWE:

Thank you.

COMMISSIONER GAUTREAUX:

Any other questions or comments? (No response.)

Thank you, Bruce. Those were pretty substantial revisions, and I think a number of people had looked forward to seeing this information. It was well presented. Thank you.

MR. DARLING:

There were a lot more figures. It makes a great doorstop.

COMMISSIONER GAUTREAUX:

Hopefully we won't use it for that. All right. I guess at this point we need to -- I have under old business, Tony, consideration of the final. Do we want to just make a motion right now or do you want to wait until that item on the agenda?

MR. DUPLECHIN:

We can go ahead right now. The staff's recommendation is to recommend that the Commission accept the final report that has been presented by C.H. Fenstermaker & Associates for the Part 1 Deliverable.

COMMISSIONER GAUTREAUX:

Do we have a motion to that effect?

COMMISSIONER SPICER:

So moved.

COMMISSIONER GAUTREAUX:

Brad. Do we have a second?

COMMISSIONER BAHR:

Second.

COMMISSIONER GAUTREAUX:

Len Bahr. Any discussion? (No response.)

All in favor of accepting of this deliverable as Part 1 of the management plan say aye. (Aye.) Any opposed? (No response.)

MR. DUPLECHIN:

I would also add that C.H. Fenstermaker & Associates has provided an additional copy on CD-ROM of the final report. The changes have been highlighted on the CD that they're providing today.

COMMISSIONER GAUTREAUX:

Thank you. I assume the revisions, if they're not already, will be up on the website shortly.

MR. DUPLECHIN:

They are.

COMMISSIONER GAUTREAUX:

They are. Okay, thank you.

Ground Water Management -- we'll go back to that item, Ground Water Management Advisory Task Force Committee reports. Do we have any committee reports? We did not have a Task Force meeting this morning. Typically we will convene the Task Force a little

earlier in the day and then the Commission will convene. (No response.) No updates. Thank you.

All right. So we will go to the old business, which we have considered the final deliverable, Part 1, and now we'll talk about the finalization of the language in the brochures, which hopefully all of you have had an opportunity to review.

MR. DUPLECHIN:

The staff faxed copies, revised copies of the brochures to commission members last week I believe, and we've also included them again in your packets in case anyone didn't get them. And we're just wondering if there were any further comments on the language in the brochures before we hopefully can proceed with starting to print some of them up.

COMMISSIONER LOWE:

I have several comments, probably from ignorance.

I guess the first comment I had was I had a question about publishing the critical groundwater area designation procedures. It seems to me that this is a little premature. We really -- to my knowledge we have not arrived at the specific criteria for groundwater, critical groundwater area, nor the final procedures for doing so as a formal act of the Commission. So it seems to me that we're going to be -- if we get into this, I've got a number of comments on that, but the general comment is why would we put out a brochure like this before we've really arrived at the finalized criteria, and so people would know what the procedures was and what it meant to be a critical area.

COMMISSIONER GAUTREAUX:

We actually -- we've passed emergency rules dealing with this application procedure, and I think this is an attempt -- many people wonder what is a critical groundwater area and how might one go about designating an area as a critical groundwater area. So this to me, essentially, and I'll welcome other comments, just encapsulates the procedure for having an area declared a critical groundwater area. We're actually going to an oversight hearing on Monday to finalize this rule. So do you think -- that's my interpretation of this information which a lot of people ask about. Are there any other comments on that from Commission members?

COMMISSIONER LOWE:

I can direct your attention directly to what my major concern is. It's in the article that talks about what are the criteria for declaring a critical groundwater area. At this point I think I understand we're just trying to clarify to people what it is -- what kind of conditions might do that. My concern is is if this gets out into the public it can easily become something that would bind us in future discussions if we wanted to change wording.

In other words, one thing I'm looking at is we say we're unable to recharge at a sufficient rate to keep up with the demand for water. Well, is that really true or is it something else added to that? Yes, yes,



we do have to do something to match the recharge -- I mean, match the usage, but that's not the only thing. One of the great concerns is environmental impact. So could we not be getting misconstrued something here? If you think it makes sense to publish something like that, then I think we need to review how we're making these statements about our critical aquifer.

COMMISSIONER GAUTREAUX:

I guess from my perspective I'd say does anything in this brochure conflict with our legislation or our current rules that are in place. I didn't see anything that did. To me this is an attempt to lay out what we're working with, essentially to share that information with the public. I don't see anything in here that, again, is not reflected in the legislation or the rules. I think they're pretty consistent.

Did you have any other --

COMMISSIONER LOWE:

No.

COMMISSIONER GAUTREAUX:

Thank you. Are there any other comments or questions about the brochure language? One thing that I hope we can do, and it's not a major thing, is where we don't have a couple of task force members identified, that we can fill these before we print them and maybe reflect that membership as we move forward, because we would like their participation, especially as we move toward policy development. Brad?

COMMISSIONER SPICER:

There's some typographical errors in the brochures that I have and I would like to talk to them later about that.

COMMISSIONER GAUTREAUX:

With the Commission's agreement, we'll address technical errors with the staff. But are there any other comments? (No response.)

The Outreach Committee has asked for the Commission to endorse the language and the distribution of the brochures, so I don't know if we need to make a motion to that effect or --

COMMISSIONER BOLOURCHI:

I make a motion to accept as written.

COMMISSIONER GAUTREAUX:

Provided technical comments. Okay. Do we have a second?

COMMISSIONER SPICER:

Second.

COMMISSIONER GAUTREAUX:

Brad. Any discussion? (No response.) All in favor? (Aye.) Any opposed? (No response.)

Thank you.

The next item is clarification of notification requirements.

MR. DUPLECHIN:

This is under new business but it's really more of an FYI type thing. The staff has received numerous phone calls and a few letters from either drillers or environmental companies wondering about test holes that

they may drill down just to check for the presence of water or maybe do a pump test to see what the capacity of a well might be, but then may or may not drill a well, a producing well at that time. Basically what we've been telling them is to base it on the -- base sending in a water well information sheet on the projected use of the well that they're looking into. If they're just out doing geotechnical information survey, then, no, they don't need to submit a well information sheet to us, but if there is a chance that they're going to put a well in, go out, do a test hole and then put a well in, go ahead and send us the water well information sheet in, and if they should decide not to, then they can always follow up and let us know that that well was not installed. So that's just basically in case anyone had ever asked a member of the Commission about that. Some people wanted to know if they could be considered monitor wells, even though they were really a monitor or a recovery well. In some cases they drill the test hole and then go right behind it and put in an actual well. In other cases if they did it and didn't find good water, they wanted to know if they still had to submit the waterwell information sheet to us, and we've been telling them no, unless they planned on putting in a well. If any of that made sense.

COMMISSIONER GAUTREAUX:

Is that consistent with how you typically --

COMMISSIONER BOLOURCHI:

I think that's fine. I don't see any problem there. If they're planning to make a well, then they're required to report. However, if that's just a test hole or a pilot hole to get geotechnical, as you mentioned, or water quality, then I don't think that may not be necessary, in my personal opinion. But if it's going to be turned into a well, then obviously they are required to send an information sheet. And in any case they're going to have to register it anyway.

COMMISSIONER GAUTREAUX:

Any other questions or comments? (No response.)

All right. At this point we'll entertain questions and comments from the public. Anyone care to say anything?

MR. VANDERSTEEN:

Good morning, Madame Chairman, Members, my name is Buck Vandersteen, Louisiana Forestry Association. I recently received a letter from the Attorney General's Office saying that they were looking into water laws in the state, and I was wondering, is that being done in conjunction with the Groundwater Commission independently from the Commission or what?

COMMISSIONER GAUTREAUX:

I'm not familiar with that notification. I don't know if anyone on the staff has received any notice.

MR. VANDERSTEEN:

I did bring a copy of that letter.

COMMISSIONER GAUTREAUX:

Okay, good. And we'll follow up with it.

MR. GUIDRY:

My name is Burton Guidry. I'm an Assistant Attorney General. I'm the guy who sent the letter. And most of the boards and commissions dealing with water rights and water issues in Louisiana get letters from us. The Attorney General is very interested in water rights issues. This is a very important issue. What we are trying to do is to gather all the potential old legal and potential new legal issues with regards to this in order to assist you for any possible legislation you might submit. And that's the essence of it.

COMMISSIONER GAUTREAUX:

I apologize. Burton did call me and say they were doing that. I just didn't realize there had been an official movement in that direction, and that's great.

So I apologize. We were -- it was briefly discussed in a telephone conversation a while back.

MR. GUIDRY:

Since I'm here, I do want to offer our services. We are the attorney for all boards and commissions. And we have a fully staffed natural resources section now, which, for lack of a better term I became the water man.

COMMISSIONER GAUTREAUX:

Thank you very much for reminding me of that. And we welcome that assistance and participation. Anyone else? (No response.)

Let's look at our schedule for the next meeting. And please remember that the Oversight Hearing will be on Monday, 10:00, I think Committee Room 4.

COMMISSIONER BOLOURCHI:

Karen, I have an announcement to make, if I may. I wanted just to announce that the Water Use Publication for the year 2000 is hot off the press. I know a number of people have been waiting for it. The majority of you in this room I'm sure they're going to get a notification asking you if you would like to have a copy of this or not. This is an excellent publication for water managers, especially the entire water use history of a parish is shown on one page. So I recommend if you're interested in water use you get a copy of this. If you do not get a notification, please feel free to send me a fax or an e-mail and ask for a copy. This is a joint publication with the US Geological Survey that is published once every five years.

COMMISSIONER GAUTREAUX:

Thank you. And I know that document has been extremely useful, and USGS has been kind enough to let us use their draft information for awhile prior to releasing that report.

COMMISSIONER BOLOURCHI:

I'd like to provide you with a copy for the Commission.

COMMISSIONER GAUTREAUX:

Does this get loaded onto the Web, do you know?

COMMISSIONER BOLOURCHI:

It's going to be on the Web, yes, ma'am.

COMMISSIONER GAUTREAUX:

Any other announcements? (No response.) Let's look at future meeting dates. Tony, had you looked at some dates?

MR. DUPLECHIN:

Possible date is the 17th of July, and that's a Wednesday.

COMMISSIONER SPICER:

What will be covered at that meeting?

COMMISSIONER GAUTREAUX:

Pardon?

COMMISSIONER SPICER:

What will be the issues for that meeting?

MR. DUPLECHIN:

We haven't done the agenda for it yet. We do not anticipate having received the application from the Sparta by that time.

COMMISSIONER SPICER:

I won't be able to attend that meeting, if we hold it, on the 17th.

COMMISSIONER GAUTREAUX:

Maybe --

MR. DUPLECHIN:

One thing I can bring up is in discussing with Mr. Durrett the application from the Sparta he has given us two sets of dates to possibly submit the application, those being the 18th and 19th of July, or the 25th and 26th of July. What we had discussed was possibly Ms. Gautreaux and myself going up to Ruston and accepting the application from the Sparta at one of their commission meetings in Ruston.

COMMISSIONER GAUTREAUX:

And we certainly invite any other Commissioners who would care to be present at that point to join us.

And then we would hold, after there's been a review and a notice, a hearing in the Sparta Aquifer, one hearing, and of course a follow-up when the management proposals, if there are any proposed, we would hold a hearing in each parish in which the management proposals would affect. So I guess we'll let you know about that as well. I'm tending to lean towards the 25<sup>th</sup>, if there's a preference.

MR. DURRETT:

Did we say the 25th?

COMMISSIONER GAUTREAUX:

Is that okay?

MR. DUPLECHIN:

That's fine.

COMMISSIONER GAUTREAUX:

Let's shoot for the 25th, but we will submit notification to everyone on our list. With that, I'll entertain a motion to adjourn.

COMMISSIONER BOLOURCHI:

So moved.

COMMISSIONER BOUDREAUX:

Second.

COMMISSIONER GAUTREAUX:

Moved and seconded. Thank you.

CERTIFICATE

I, SUZETTE M. MAGEE, Certified Court Reporter, do hereby certify that the foregoing meeting was held on June 28, 2002, in the Conservation and Mineral Resources Hearing Room, LaSalle Building, 617 North Third Street, 1st Floor, Baton Rouge, Louisiana; that I did report the proceedings thereof; that the foregoing pages, numbered 1 through 38, inclusive, constitute a true and correct transcript of the proceedings thereof.

---

SUZETTE M. MAGEE, CCR #93079  
CERTIFIED COURT REPORTER